

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

SEP 11 2019

JULIA C. DUDLEY, CLERK  
BY: *H. McDermott*  
DEPUTY CLERK

SCOTT MITCHELL OUELLETTE,  
Plaintiff,

Civil Action No. 7:19-cv-00244

v.

JOSH HAYES, et al,  
Defendant(s),

MEMORANDUM OPINION

By: Jackson L. Kiser  
Senior United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By order entered 7/10/2019, the court directed plaintiff to submit within 21 days from the date of the order a response to the Motion to Dismiss (Dkt #19), however the Roseboro Notice (Dkt. #21) was returned as undeliverable with no forwarding address. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 21 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 11<sup>th</sup> day of ~~July~~<sup>Sept.</sup>, 2019.

*Jackson L. Kiser*  
Senior United States District Judge